

08-26-04



## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/749,122	12/30/2003	Richard Lennox Boyd	NOR-014CP4 /286336.153

23483  
HALE AND DORR, LLP  
60 STATE STREET  
BOSTON, MA 02109



CONFIRMATION NO. 3280

## FORMALITIES LETTER



\*OC000000012674396\*

Date Mailed: 05/14/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 385 to complete the basic filing fee for a small entity.*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$712 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$1162 for a Small Entity

- \$385 Statutory basic filing fee.
- \$65 Late oath or declaration Surcharge.

08/27/2004 AWONDAF1 00000011 080219 10749122

01 FC:2001	385.00 DA
02 FC:2051	65.00 DA
03 FC:2202	288.00 DA

- Total additional claim fee(s) for this application is \$712

- \$172 for 4 independent claims over 3.
- \$540 for 60 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice MUST be returned with the reply.*

KASANTOJ

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

(Attorney Docket Nos. NOR-014CP4 and 286336.153)

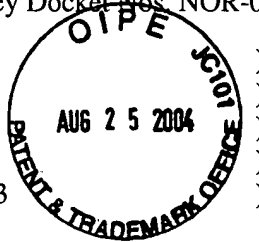
In re Application of: Boyd )

Examiner: TBA )

Serial No: 10/749,122 )

Art Unit: 1645 )

Filed: December 30, 2003 )



For: DISEASE PREVENTION BY REACTIVATION OF THE THYMUS

\*\*\*\*\*

**CERTIFICATION OF EXPRESS MAILING UNDER 37 C.F.R. § 1.10**

I hereby certify that the attached papers are being deposited with the United States Postal Service as Express Mail (Label No. EV507048908US) under 37 C.F.R. § 1.10 addressed to: MAIL STOP MISSING PARTS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below:

8/25/2004  
Date:

Amanda Ripley  
Amanda Ripley

\*\*\*\*\*

MAIL STOP MISSING PARTS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**  
**Filed Under 37 C.F.R. 1.53(b)**

Dear Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application, mailed May 14, 2004, Applicant submits the following documents for filing in the above-referenced patent application:

1. Copy of the Notice to File Missing Parts of Nonprovisional Application, mailed May 14, 2004;
2. Executed Declaration and Power of Attorney;
3. Payment of \$65.00 Late Declaration Surcharge (*deposit account authorization on page 2*);
4. Payment of \$385.00 Basic Filing Fee (*deposit account authorization on page 2*);
5. Copy of Preliminary Amendment as Filed on August 13, 2004 (*as evidence of amended claims fees – see items 6 and 7 below*);
6. Payment of \$288.00 Excess Total Claims Fee (*deposit account authorization on page 2*);
7. Request for Two Months' Extension of Time Under 37 C.F.R. §1.136(a);
8. Payment of \$210.00 Extension Fee (*deposit account authorization on page 2*);
9. Fee Calculation Sheet (Form PTO/SB/17);

10. Certificate of Express Mailing; and
11. Return Postcard.


The Notice to File Missing Parts states that there are 4 independent claims over 3 and that there are 60 total claims over 20. Applicant has enclosed a copy of the Preliminary Amendment as filed on August 13, 2004 (*see item number 5 above*) and has calculated the claims fees due according to the amended claims (no independent claims over 3 and 32 total claims over 20).

The fees identified in item numbers 3, 4, 6 and 8 of this Response are to be charged to Deposit Account No. 08-0219. Please also charge any additional fees that might be due to Deposit Account No. 08-0219.

If there are any questions, please call the undersigned at the telephone number indicated below.

Respectfully submitted,

Date: 8/25/04  
WILMER CUTLER PICKERING  
HALE AND DORR LLP  
60 State Street  
Boston, MA 02109  
(617) 526-6000  
(617) 526-5000 (Facsimile)

  
Ann-Louise Kerner, Ph.D.  
Reg. No. 33,523  
Attorney/Agent for Applicant



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PTO/SB/17 (10-03)  
Approved for use through 07/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 948.00

## Complete if Known

Application Number	10/749,122
Filing Date	December 30, 2003
First Named Inventor	Boyd
Examiner Name	TBA
Art Unit	1645
Attorney Docket No.	NOR-014CP4 and 286336.153

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit  
Account  
Number  
Deposit  
Account  
Name

08-0219

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	385.00
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$ ) 385.00

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
52	-20** = 32	X 9	= 288
Independent Claims	3	-3** = 0	X 43 = 0
Multiple Dependent			= 288

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ ) 288.00

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	65.00
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	210.00
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ ) 275.00

## SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Ann-Louise Kerner, Ph.D.	Registration No. (Attorney/Agent)	33,523	Telephone	617-526-6000
Signature		Date	August 25, 2004		

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS  
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form call 1-800-PTO-9199 and select option 2.

# COPY

PTO/SB/21 (02-04)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

40

Application Number

10/749,122

Filing Date

December 30, 2003

First Named Inventor

Boyd

Art Unit

TBA

Examiner Name

TBA

Attorney Docket Number

286336.153US1/NOR-014CP4

### ENCLOSURES

(Check all that apply)



Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)

Response to Missing Parts/  
Incomplete ApplicationResponse to Missing Parts  
under 37 CFR 1.52 or 1.53

Drawing(s)



Licensing-related Papers



Petition

Petition to Convert to a  
Provisional ApplicationPower of Attorney, Revocation  
Change of Correspondence Address

Terminal Disclaimer



Request for Refund



CD, Number of CD(s) \_\_\_\_\_

After Allowance communication  
to Technology Center (TC)Appeal Communication to Board  
of Appeals and InterferencesAppeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)

Proprietary Information



Status Letter

Other Enclosure(s) (please  
Identify below):

#### Remarks

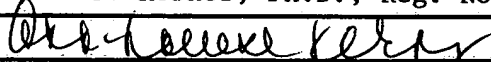
- Preliminary Amendment Pursuant to 37 C.F.R. Sec. 1.115 (39 Pages)
- Return Postcard

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm  
or  
Individual name

Ann-Louise Kerner, Ph.D., Reg. No. 33,523

Signature



Date

August 13, 2004

EXPRESS MAIL LABEL NO. EV 225201715 US

DATE OF DEPOSIT

8/13/04

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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